

Message Text

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PAGE 01 OTTAWA 00097 01 OF 03 102112Z

73

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 OES-03 INR-07 L-02 SP-02 SS-15

COA-01 PM-03 SAM-01 CPR-01 H-01 A-01 PA-01 PRS-01

RSC-01 /060 W

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P 102020Z JAN 75

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC PRIORITY 5365

LIMITED OFFICIAL USE SECTION 1 OF 3 OTTAWA 0097

STADIS////////////////////////////////

EO 11652 NA

TAGS ENRG CA

SUBJ ENERGY: DOMESTIC TAXES ON PETROLEUM AND PETROLEUM PRODUCTS

REFS (A) STATE 001950 (B) BUCHANAN/RAICHT TELCOM OF JAN 9

1. PER REQUEST AND WHERE APPLICABLE, ALL STATISTICS WHICH FOLLOW HAVE BEEN CONVERTED FROM IMPERIAL MEASUREMENT TO U.S. GALLONS AND REPORTED IN TERMS OF U.S. CENTS (ROUNDED TO NEAREST THOUSANDTH) BASED ON DECEMBER 31 CLOSING EXCHANGE RATE OF C\$1.00 EQUALS U.S.\$1.01 (ROUNDED).

2. THE CANADIAN FEDERAL GOVERNMENT IMPOSES NO REPEAT NO DOMESTIC TAXES (INCLUDING ROYALITES) DIRECTLY ON DOMESTIC CRUDE PETROLEUM; NOR DUTIES ON IMPORTED CRUDE OR PETROLEUM PRODUCTS, EXCEPT FOR SOME VERY MINOR AND INSIGNIFICANT EXCEPTIONS. THE SOLE FEDERALLY IMPOSED DOMESTIC TAX IS THE 12 PERCENT GENERAL SALES TAX LEVIED ON GOODS MANUFACTURED IN CANADA, INCLUDING PETROLEUM PRODUCTS (WITH THE EXCEPTION OF HEATING OIL. THIS SALES TAX IS APPLIED TO THE MANUFACTURER'S SELLING PRICE OR DUTY-PAID VALUE OF IMPORTS, EXCEPT

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PAGE 02 OTTAWA 00097 01 OF 03 102112Z

IN THE CASE OF CERTAIN GASOLINES AND DIESEL FUEL OIL

WHERE THE 12 PERCENT TAX IS APPLIED TO AN ARTIFICIAL VALUE NOMINALLY ASSIGNED TO THE PRODUCT. THE TAX IS PAID BY THE MANUFACTURER (REFINER) AT THE TIME OF DELIVERY TO THE PURCHASER, OR WHEN THE OWNERSHIP OF THE GOODS CHANGES, OR BY THE IMPORTER AT THE TIME OF IMPORT. THE SALES TAX IS NOT APPLIED TO RAW MATERIALS, SUCH AS CRUDE OIL, AMONG OTHERS. NOMINAL VALUES CURRENTLY ASSIGNED TO #1 GASOLINE (PREMIUM) IS \$0.240 PER GALLON, TO #2 GASOLINE (REGULAR) \$0.203 PER GALLON, AND TO DIESEL FUEL OIL \$0.167. TWELVE PERCENT TAX ON THESE NOMINAL VALUES YIELDS TAXES OF \$0.029, \$0.024, AND \$0.020 PER GALLON, RESPECTIVELY. THESE NOMINAL VALUES ARE CURRENTLY UNDER GOC REVIEW AND CAN BE EXPECTED TO BE REVISED UPWARDS IN COMING MONTHS.

3. AT THE PROVINCIAL AND TERRITORIAL LEVELS (THE LATTER ADMINISTERED BY THE FEDERAL GOVERNMENT), TWO TYPES OF DIRECT TAXES ARE LEVIED ON PETROLEUM PRODUCTS: GENERAL SALES TAXES AND MOTIVE TAXES. THESE ARE DESCRIBED IN PARAS 4 AND 5 BELOW. APART FROM THESE TAXES APPLIED AT THE RETAIL STAGE, THERE ARE NO REPEAT NO OTHER READILY IDENTIFIABLE TAXES, COMPARABLE TO THE FEDERAL SALES TAX ON MANUFACTURERS (PARA 2) OR VALUE ADDED TAXES, LEVIED BY THESE TAXING ENTITIES ON PETROLEUM PRODUCTS, ALTHOUGH THERE MAY CONCEIVABLY BE INSTANCES WHERE MUNICIPALITIES, FOR EXAMPLE, MAY EXERCISE CERTAIN TAXING JURISDICTION. EMBASSY DOES NOT REPEAT NOT BELIEVE, HOWEVER, THAT SUCH TAXES ARE EITHER WIDESPREAD OR OF SIGNIFICANT ECONOMIC INTEREST. TO THE BEST OF EMBASSY'S INFORMATION THE TAX INCIDENCES DESCRIBED BELOW ARE IN EFFECT AS OF JANUARY 1, BUT WE WOULD NOT WISH TO VOUCH FOR COMPLETE 100 PERCENT ACCURACY IN ALL DETAIL.

4. MOTIVE AND OTHER FUEL TAXES (U.S. CENTS PER U.S. GALLON):

A. NEWFOUNDLAND:

(1) MOTOR FUEL: \$0.210--(EXEMPTIONS FOR USE BY GOVERNMENTS, FOREIGN DIPLOMATS, AIRCRAFT, MOTORIZED EQUIPMENT (OTHER THAN TRUCKS AND AUTOMOBILES) USED FOR AGRICULTURAL OR LOGGING PURPOSES, SAWMILLS, FISH LIMITED OFFICIAL USE

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PAGE 03 OTTAWA 00097 01 OF 03 102112Z

PROCESSING PLANTS, CERTAIN MANUFACTURING PLANTS, VESSELS AND BOATS IN TRADE, ELECTRICAL POWER GENERATING PLANTS, HOUSEHOLD APPLIANCES, AS HOUSEHOLD FUEL, AND FOR MINERAL EXPLORATION AND PRE-PRODUCTION DEVELOPMENT.)

(2) FUEL OIL: \$0.008--(EXEMPTIONS FOR DOMESTIC PURPOSES OR BY VESSELS (EXCEPT PLEASURE BOATS, TUGS, DREDGES AND SCOWS), MANUFACTURING PLANTS, COMMERCIAL BUILDINGS, AND INSTITUTIONS.)

B. PRINCE EDWARD ISLAND:

(1) GASOLINE: \$0.177

(2) DIESEL FUEL: \$0.210

(EXEMPTIONS FOR AVIATION FUEL, FUEL USED IN OFFSHORE FISHING FLEETS, AND MARKED GASOLINE, WHICH MAY BE PURCHASED BY THE FEDERAL GOVERNMENT, FARMERS, COMMERCIAL FISHERMEN, AND OWNERS AND OPERATORS OF STATIONARY ENGINES OR CERTAIN SPORT ESTABLISHMENTS.)

C. NOVA SCOTIA:

(1) GASOLINE: \$0.177

(2) DIESEL FUEL: \$0.227

(3) AVIATION FUEL: \$0.025

(EXEMPTION FOR MARKED GASOLINE WHICH MAY BE USED IN VEHICLES OF FEDERAL, PROVINCIAL AND MUNICIPAL GOVERNMENTS AND IN VEHICLES DESIGNATED FOR FIRE-FIGHTING, ROAD BUILDING OR OFF-HIGHWAY USE. IT MAY ALSO BE USED IN FARM TRACTORS OTHER THAN TRUCKS OR ROAD TRACTORS.)

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PAGE 01 OTTAWA 00097 02 OF 03 102125Z

73

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 OES-03 INR-07 L-02 SP-02 SS-15

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P 102020Z JAN 75

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TO SECSTATE WASHDC PRIORITY 5366

LIMITED OFFICIAL USE SECTION 2 OF 3 OTTAWA 0097

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D. NEW BRUNSWICK:

(1) GASOLINE: \$0.169

(2) DIESEL FUEL: \$0.193

(3) AVIATION FUEL: \$0.025

(EXEMPTIONS FOR FUEL USED FOR LIGHTING OR HEATING, IN

FARMING OPERATIONS, IN CLEANING OF FABRICS, IN STATIONARY ENGINES, IN OPERATION OF MOTOR BOATS AND SNOW-MOBILES, IN TRACTORS OTHER THAN TRUCK TRACTORS WHEN SUCH VEHICLES ARE NOT USED ON PUBLIC HIGHWAYS OR IN THE CONSTRUCTION OF ROADS AND BRIDGES, AND FOR FUEL USED BY MUNICIPAL GOVERNMENTS.)

E. QUEBEC:

(1) GASOLINE:\$0.160

(2) DIESEL FUEL: \$0.210

(3) AVIATION FUEL: \$0.025

(FULL TAX REFUNDS ARE ALLOWED ON GASOLINE USED IN OPERATION OF FARM TRACTORS AND FISHING BOATS. PARTIAL REFUNDS ARE ALLOWED ON GASOLINE USED IN STATIONARY ENGINES (EXCEPT BY FARMERS AND FISHERMEN), PUMPS TO FIGHT FOREST FIRES, AND PRODUCTION MACHINERY.)

F. ONTARIO:

(1) GASOLINE: \$0.169

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PAGE 02 OTTAWA 00097 02 OF 03 102125Z

(2) DIESEL FUEL: \$0.193

(3) AVIATION FUEL: \$0.025

(FULL TAX REFUND IS ALLOWED ON GASOLINE USED EXCLUSIVELY IN FARMING OR COMMERCIAL FISHING. RELIEF OF \$0.109 PER GALLON IS ALLOWED ON GASOLINE USED IN OFF-HIGHWAY VEHICLES OTHER THAN "NON-WORKING" MOTOR BOATS AND SNOWMOBILES. GASOLINE USED IN "WORKING" MOTOR BOATS IS ELIGIBLE FOR RELIEF. TAX RELIEF OF \$0.143 PER GALLON IS ALLOWED ON DIESEL FUEL OIL THAT IS NOT USED IN A MOTOR VEHICLE OR THAT IS USED IN A MOTOR VEHICLE USED ON HIGHWAYS OR IN CONSTRUCTIONS OR MAINTENANCE OF HIGHWAYS.)

G. MANITOBA:

(1) GASOLINE: \$0.126

(2) DIESEL FUEL: \$0.152

(3) AVIATION FUEL: \$0.017

(4) BUNKER FUEL: \$0.003

(5) PROPANE: \$0.008 FOR COMMERCIAL HEATING AND \$0.126 FOR CARBURATION.

(6) COLORED GASOLINE: \$0.008

(EXEMPTIONS FOR COLORED GASOLINE USED IN FARM TRUCKS, AGRICULTURAL MACHINERY, MUNICIPAL FIRE-FIGHTING EQUIPMENT, AND IN TRAPPING, FISHING AND PROSPECTING OPERATIONS. EXEMPTIONS FOR DIESEL FUEL USED IN AGRICULTURAL MACHINERY, MUNICIPAL FIRE-FIGHTING EQUIPMENT, LIGHTING PLANTS, HOSPITALS AND FOR DOMESTIC PURPOSES. PARTIAL OR FULL REFUNDS IN SPECIFIED OTHER CIRCUMSTANCES.)

H. SASKATCHEWAN:

- (1) GASOLINE :0.101
- (2) DIESEL FUEL: \$0.134
- (3) AVIATION FUEL: \$0.033
- (4) OTHER FUELS: \$0.033

(EXEMPTIONS FOR FUEL USED FOR COOKING, LIGHTING AND HEATING OR NOT DESIGNED AND MANUFACTURED FOR USE IN, AND NOT IN FACT USED IN, AN INTERNAL COMBUSTION ENGINE.)

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PAGE 03 OTTAWA 00097 02 OF 03 102125Z

(I) ALBERTA:

- (1) GASOLINE: \$0.084
- (2) DIESEL FUEL: \$0.101
- (3) AVIATION FUEL: \$0.025
- (4) COLORED GASOLINE: \$0.025

(EXEMPTIONS FOR FUEL USED BY FEDERAL GOVERNMENT AND FOREIGN DIPLOMATS. RELIEF OF \$0.025 PER GALLON FOR GASOLINE AND DIESEL FUEL USED AS RAW MATERIAL BY PETROLEUM INDUSTRY, IN HOUSEHOLD APPLIANCES, FOR LIGHTING AND HEATING, OR FOR SPRAYING ON ROAD SURFACES. RELIEF OF \$0.042 FROM GASOLINE AND DIESEL FUEL TAX FOR FUEL USED IN FARMING, FOR INDUSTRIAL PURPOSES, IN TRANSIT BUSES, RAILWAY LOCOMOTIVES, OR DESIGNATED AS UNFIT FOR USE IN MOTOR VEHICLES.)

J. BRITISH COLUMBIA:

- (1) GASOLINE:\$0.126
- (2) POLLUTANT-FREE LPG (BUTANE AND PROPANE) USED BY COMMON VEHICLES: \$0.084
- (3) COLORED GASOLINE: \$0.025
- (4) DIESEL FUEL: \$0.142
- (5) AVIATION FUEL: \$0.025
- (6) FUEL OIL: \$0.004

(MOTIVE FUELS USED OFF-HIGHWAY BY FAMILY FARMERS AND FISHERMEN AND FUELS USED IN THE FAMILY FARM TRUCK ON THE HIGHWAY ARE EXEMPT FROM GASOLINE TAXES. A REFUND OF \$0.101 PER GALLON OF NON-COLORED GASOLINE AND \$0.117 PER GALLON OF DIESEL FUEL IS GRANTED FOR OFF-HIGHWAY ORE OR LOGGING TRUCKS, FOR STATIONARY MOTOR VEHICLE POWER UNITS USED IN INDUSTRY, FOR CERTAIN INDUSTRIAL AND COMMERCIAL VEHICLES USED OFF-HIGHWAY IN OIL AND GAS OPERATIONS, AND FOR MOTOR VEHICLES OF AMPUTEES, PARAPLEGICS AND CERTAIN CLASSES OF WAR VETERANS.)

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PAGE 01 OTTAWA 00097 03 OF 03 102157Z

73

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 OES-03 INR-07 L-02 SP-02 SS-15

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TO SECSTATE WASHDC PRIORITY 5367

LIMITED OFFICIAL USE SECTION 3 OF 3 OTTAWA 0097

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K. YUKON TERRITORY:

- (1) GASOLINE: \$0.117
 - (2) DIESEL FUEL: \$0.134
 - (3) AVIATION FUEL: \$0.017
 - (4) FUEL OIL USED FOR HEATING AND COOKING: \$0.008
- (NO TAX IS PAYABLE IN RESPECT OF FUEL OIL USED IN STATIONARY UNITS FOR GENERATION OF ELECTRIC POWER, IN OPERATION OF FARM TRACTORS, FOR FARMING PURPOSES, FOR LUBRICATING PURPOSES, FOR LAYING OR SPRINKLING ON ROADS OR STREETS, OR FOR USE AS CLEANING FLUIDS OR SOLVENTS.)

L. NORTHWEST TERRITORIES:

- (1) GASOLINE: \$0.117
 - (2) DIESEL FUEL: \$0.126
 - (3) FUEL OIL: \$0.025
 - (4) AVIATION FUEL: \$0.021
 - (5) PROPANE AND BUTANE: \$0.020
- (NO TAX IS PAYABLE ON FUEL TO BE USED BY HOSPITALS, MUNICIPAL GOVERNMENTS, VISITING ARMED FORCES, FOR LUBRICATING PURPOSES, FOR LAYING OR SPRINKLING ON ROADS OR STREETS, FOR DELIVERY TO DEW STATIONS, OR FOR USE AS CLEANING FLUIDS OR SOLVENTS.)

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PAGE 02 OTTAWA 00097 03 OF 03 102157Z

5. TO THE EXTENT THAT PETROLEUM PRODUCTS ARE NOT REPEAT NOT TAXED (OR EXEMPTED) AS DETAILED IN PARA 4 ABOVE, THEY ARE GENERALLY SUBJECT, WITH IMPORTANT EXCEPTIONS, TO PROVINCIAL GENERAL SALES TAXES WHICH ARE APPLIED AT THE RETAIL LEVEL (MOTOR LUBRICATING OIL IS A MAJOR PRODUCT WHICH COMES TO MIND). WITH THE EXCEPTION OF ALBERTA, ALL OTHER NINE PROVINCES HAVE GENERAL SALES TAXES, WITH RATES VARYING FROM 5 PERCENT IN MANITOBA, SASKATCHEWAN AND BRITISH COLUMBIA, TO 7 PERCENT IN NOVA SCOTIA AND ONTARIO, AND TO 8 PERCENT IN NEWFOUNDLAND, PRINCE EDWARD ISLAND, NEW BRUNSWICK, AND QUEBEC. FUEL OIL FOR HEATING PURPOSES IS EXEMPTED FROM THESE TAXES IN ALL PROVINCES EXCEPT MANITOBA (5 PERCENT) AND BRITISH COLUMBIA WHERE IT IS TAXED AT \$0.004 PER GALLON (SEE 4J(6) ABOVE). GAS FOR HEATING, COOKING, ETC. (WHICH WOULD INCLUDE PROPANE FOR EXAMPLE) IS NOT EXEMPT FROM SALES TAX IN NEWFOUNDLAND, QUEBEC, OR BRITISH COLUMBIA. OTHER MAJOR, BUT SPOTTY, EXEMPTIONS (EITHER FULL OR PARTIAL) ARE GRANTED BY PROVINCES WHEN THE PRODUCTS ARE PURCHASED BY MUNICIPALITIES, OTHER PROVINCES, THE FEDERAL GOVERNMENT, OR REPRESENT SALES FOR EXPORTATION OR OUT-OF-PROVINCE DELIVERY.

6. IN A MAJOR ADDITION TO THE AFOREMENTIONED DOMESTIC TAXES, THE PETROLEUM PRODUCING PROVINCES ALL IMPOSE ROYALTY FEES ON THE PRODUCTION OF CRUDE OIL AND EQUIVALENTS. THESE ROYALTIES, HOWEVER, ARE PRESENTLY IN A GREAT PERIOD OF FLUX, CONFUSION, AND REVISION CAUSED IN MAJOR PART BY THE FEDERAL PROVINCIAL CLASH OVER RESOURCE TAXATION AND IT IS NOT POSSIBLE AT THIS TIME TO OBTAIN FULLY RELIABLE INFORMATION ON ROYALTIES PER BARREL OF CRUDE. IN GENERAL, HOWEVER, ROYALTY FEES IN ALBERTA (WHICH ACCOUNTS FOR ABOUT 85 PERCENT OF CANADIAN CRUDE PRODUCTION) APPROXIMATES 35 TO 40 PERCENT OF A BARREL OF C\$6.40 WELL-HEAD PRICED CRUDE. IN SASKATCHEWAN (12 PERCENT OF TOTAL PRODUCTION), ROYALTY FEES ARE UP TO 100 PERCENT OF THE VALUE OF OIL IN EXCESS OF C\$4.00 A BARREL.

7. EMBASSY HAS NOT REPEAT NOT FOUND ANY SOURCE LIMITED OFFICIAL USE

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PAGE 03 OTTAWA 00097 03 OF 03 102157Z

(GOVERNMENT OR PRIVATE) WILLING TO HAZARD A GUESS ON AVERAGE ANNUAL TAX YIELD FROM BARREL OF CRUDE OIL ATTAINED IN CANADA.

8. EMBASSY COMMENT: WHILE EMBASSY LACKS FULL UNDER-
STANDING OF HOW POSSIBLE CONVERSION OF DOMESTIC
PETROLEUM AND PETROLEUM PRODUCTS TAXES INTO TARIFFS
OR BORDER PROTECTION WOULD OPERATE (REF B), ESPECIALLY
IN A COUNTRY SUCH AS CANADA WHICH IS BOTH A MAJOR
PRODUCER AND CONSUMER, IT IS CLEAR FROM THE INFORMATION
PROVIDED ABOVE THAT MOST OF THE TAXES APPLIED TO
PETROLEUM IN CANADA ARE LEVIED AT THE PROVINCIAL
LEVEL. IT DOES NOT SEEM CONCEIVABLE TO US THAT
ANY PROVINCE, LET ALONE THE OIL-PRODUCING PROVINCES,
WOULD EVER AGREE TO SURRENDER THEIR TAXING AUTHORITY
TO THE FEDERAL GOVERNMENT EVEN IF IT COULD BE
DEMONSTRATED THAT REVENUE RECEIPTS COLLECTED BY OTTAWA
WOULD BE RE-DISTRIBUTED TO THE PROVINCIAL AUTHORITIES
AT NO LOSS IN REVENUE LEVELS. SUCH A PROPOSAL WOULD
RUN DIRECTLY COUNTER TO THE HISTORY AND UNDERPINNINGS
OF THE CONFEDERATE SYSTEM OF GOVERNMENT IN CANADA,
A SYSTEM WHICH IS ALREADY SERIOUSLY STRAINED BY THE
PRESENT FEDERAL/PROVINCIAL CONFRONTATION OVER RESOURCE
TAXATION MEASURES AND PHILOSOPHY. IN THE EMBASSY'S
JUDGMENT, NO REPEAT NO FEDERAL/PROVINCIAL AGREEMENT ON
SUCH A PROPOSAL COULD BE ACHIEVED OR EVEN SERIOUSLY
CONSIDERED BY OTTAWA.
PORTER

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